

The European Union Rule of Law Report 2026

Joint Recommendations

25 June 2026

The undersigned 37 civil society, human rights, journalism and media support organisations urgently call on the European Commission to take more direct and verifiable measures to uphold, protect and restore the rule of law within the European Union and in the candidate countries.

On 15 July 2026, the European Commission will publish its seventh annual Rule of Law Report. The political and institutional landscape has changed significantly: at a time of geopolitical turbulence and security threats at the EU's borders and abroad, debates on the rule of law in Europe appear to have been sidelined. This situation is set against a backdrop of a continuing democratic backsliding and increasing restrictions on civic space in various Member States, as demonstrated by the Rule of Law Reports of previous years. The European Democracy Shield recognises the explicit need to bolster the internal protection of the EU's democracies and the rule of law. Yet the Rule of Law Reports appear to be drafted in a routine manner, in isolation from other EU instruments that seek to protect democratic pillars, and as a mere stock-taking exercise, without meaningful follow-up or conditionality imposed on Member State or candidate country governments.

The credibility of the EU's rule of law agenda depends in part on the EU holding itself to the same standards it demands of its Member States. The Commission, the Council, the Parliament and the agencies must operate transparently, respect judicial powers and avoid measures that circumvent legal norms or democratic accountability in the name of political expediency.

As part of the ongoing negotiations on the Multiannual Financial Framework (MFF) 2028–2034, it will be essential to incorporate rule of law conditionality into all EU funds. The lack of follow-up on the recommendations made in previous Rule of Law Reports, as well as the full and effective implementation of the Digital Services Act, the European Media Freedom Act, and the Anti-SLAPP Directive, remains a cause for major concern.

In order to improve the quality and effectiveness of the Rule of Law Report and to collaborate more effectively with stakeholders in this process, we call on the Commission to:

1. Make rule of law conditionality a top priority in the next MFF.
2. Strengthen the link between the Rule of Law Report and the Rule of Law toolbox, and enhance its visibility, follow-up, and judiciary-related recommendations.
3. Increase civic space coverage in the Rule of Law Reports to detect early signs of civic space restrictions.
4. Take firm and systematic action against the non-implementation of court rulings.
5. Protect media freedom by enforcing EU laws, combating political and judicial harassment, and encouraging stronger national safeguards.
6. Assess the rule of law recovery and challenges in Member States to shape targeted support and a clear roadmap against backsliding.
7. Integrate all candidate countries into the Rule of Law Report and meaningfully connect the implementation of recommendations to EU pre-accession funding.

1. Make rule of law conditionality a top priority in the next MFF.

The current Conditionality Regulation for the rule of law has been in force since 2021 and has shown that the threat of withholding EU funds can, in most cases, lead to at least partial compliance with the EU values enshrined in the TEU. We welcome the proposal to retain the regulation and extend its scope to all budget lines allocated to Member States under the 2028–2034 Multiannual Financial Framework.

The EU's next MFF must explicitly link rule of law conditionality to the release of funds and set out clear, publicly available benchmarks that Member States must meet before receiving funds. We call on the institutions involved in the negotiations to reject any compromise that would abolish, weaken or subject the conditionality mechanism to political discretion.

2. Strengthen the link between the Rule of Law Report and the rule of law toolbox, and enhance its visibility, follow-up, and judiciary-related recommendations.

The Rule of Law Report must not become a routine exercise without clear follow-up measures and sufficient visibility. Its recommendations must be specific enough to be implemented, measured, and monitored. Recommendations that do not specify what actions are required, by whom, within what timeframe, and based on what criteria cannot be considered meaningful recommendations. The Commission must set a new standard for drafting recommendations: each recommendation must identify the competent authority, set a specific objective and include a deadline. The status of all outstanding recommendations must be reported in subsequent cycles.

At present, there is too wide a gap between the findings in the annual Rule of Law Report and the measures taken under rule of law conditionality: whilst the report documents concerns, the link to infringement proceedings, Article 7 TEU procedures and the Conditionality Regulation remains weak and inconsistent. Clear and automatic escalation thresholds must be established so that repeated violations highlighted in successive reports (particularly regarding the independence of the judiciary, the separation of powers and media freedom) trigger a defined response within the framework of the available instruments.

Civil society organisations must be formally involved in the review of how the report's findings are translated into enforcement measures, and the Commission must publicly account for any cases where documented findings do not lead to action.

3. Increase civic space coverage in the Rule of Law reports to detect early signs of civic space restrictions.

In view of the shrinking of civic space within the EU and beyond, we call on the Commission to significantly strengthen the role of the Rule of Law Report as an early warning tool for the deterioration of the space for civil society in the countries evaluated. The report should include a separate chapter on the scope for action of civil society and strengthen reporting on this area, as well as on aspects relating to fundamental rights, as has been repeatedly called for by civil society and the European Parliament. This should include issues such as restrictions on freedom of assembly, the shrinking space for independent media, and the suppression of organisations representing marginalised groups.

There is also a need for a structured mechanism for civil society, the media and human rights defenders to report violations and emerging restrictions on the ground. This should feed into an accelerated process at EU level, enabling an early and consistent response when the rule of law in a country deteriorates and democratic backsliding increases.

Furthermore, the EU should develop guidelines for preventive and reactive measures to counter emerging threats to civic space for civil society; these include early intervention before restrictive laws are enacted, legal and non-legal responses, and a structured dialogue with national authorities.

4. Take firm and systematic action against the non-implementation of court rulings.

The failure of Member States to implement rulings of the Court of Justice of the European Union and the European Court of Human Rights is not merely a procedural matter, but it is a serious cause for concern regarding the rule of law in the Union. The Commission must systematically monitor non-implementation, report on it specifically in each country chapter, and use the full range of available instruments without undue delay, including financial sanctions under Article 260 TFEU and conditionality reviews.

The dialogue with the Member States takes an excessive amount of time, which can lead to administrative malpractice and deny EU citizens access to justice. The Commission should

therefore systematically initiate infringement proceedings where judgments in direct actions are not implemented (Article 260(2) TFEU), and proactively initiate infringement proceedings and apply financial pressure where Member States fail to comply with requests for preliminary rulings.

We also call on the Commission to work with the Council of Europe to develop structured support at EU level for the implementation of judgments of the European Court of Human Rights in Member States where structural violations of human rights and the rule of law have been identified.

5. Protect media freedom by enforcing EU laws, combating judicial harassment, and encouraging stronger national safeguards.

The EU should treat the effective implementation of the EU's digital rulebook, including the DSA, the EMFA and the Anti-SLAPP Directive as a key priority in the area of the rule of law, and assess both enforcement and implementation in the Rule of Law reports. As these frameworks set minimum standards, Member States should be encouraged to adopt stricter safeguards, including stricter anti-SLAPP rules, more independent media regulation and greater transparency in state advertising, with the Commission promoting best practices.

Although the Anti-SLAPP Directive strengthens protection for journalists, its limitation to cross-border cases means that many harmful domestic lawsuits remain excluded from EU protection. An effective anti-SLAPP policy also requires compensation for legal, financial, and psychosocial harm tailored to national circumstances, as well as specialised training for the judiciary and relevant authorities.

The EU should also encourage Member States to repeal criminal defamation laws in order to strengthen media freedom and the rule of law. Only four EU member states have decriminalised defamation. This not only puts civil society organisations at risk, but has also been used in accession countries as a pretext for reintroducing criminal penalties for defamation, as was the case in the Republika Srpska in Bosnia and Herzegovina.

The EMFA is of central importance in preventing state-driven media capture through safeguards regarding media pluralism, editorial independence, media ownership concentration and abusive state advertising. It must therefore ensure the political independence and financial sustainability of public service media, which are under attack in a growing number of EU countries. The full implementation of the DSA is equally essential for protecting media freedom online. National shortcomings, including Poland's failure to implement key DSA mechanisms such as the appointment of a Digital Services Coordinator, should be explicitly assessed in the Rule of Law Report.

Measures against foreign interference and disinformation must not undermine freedom of expression and information. The Commission should oppose disproportionate restrictions, including criminal provisions and laws modelled on the 'Foreign Agents Act', and instead

strengthen democratic resilience by supporting independent media, digital rights, and civil society.

6. Assess the rule of law recovery and challenges in Member States to shape targeted support and a clear roadmap against backsliding.

Poland's experience post-2023 serves as a reminder that democratic recovery following a period of regression in the rule of law is possible. However, it is neither automatic nor straightforward – even after a change of government. Years of deliberate co-optation of institutions by illiberal governments are difficult to reverse, and the European Commission can do more to support Member States that are currently undergoing a reversal process or could soon find themselves in one. In close cooperation with Polish civil society, a roadmap for restoring the rule of law should be drawn up, providing a concrete framework for financial, technical, and political support to guide and assist Member States in reversing the decline in the rule of law.

We call on the Commission to monitor similar developments in Hungary closely and to apply the lessons learnt from the Polish case to ensure that Hungary restores the rule of law without delay, creates a supportive environment for civil society and human rights defenders, and that support on the path to liberal democracy is not a blank cheque, but should be backed by the full force of the law.

7. Integrate all Candidate Countries into the Rule of Law Report and meaningfully connect the implementation of recommendations to EU pre-accession funding

The rule of law remains the cornerstone of the EU enlargement process. While we welcome the European Commission's decision to include some accession countries in the annual reports on the rule of law, this scope must be systematically extended to all candidate countries. The Commission must issue clear, measurable, and time-bound recommendations to all candidate countries, similar to those applicable to Member States. These recommendations should be complementary to those put forward in the annual country reports on candidate countries.

The assessment and implementation of these recommendations must be directly linked to the disbursement of EU financial assistance. Currently, instruments such as the Reform and Growth Facility (RGF) for the Western Balkans are based on 'preconditions' requiring countries to uphold democratic mechanisms and the rule of law at all times. However, as highlighted by civil society monitoring of national reform programmes across the enlargement region, there is no clear methodology for objectively measuring these fundamental preconditions, which makes the suspension of funds vulnerable to discretionary political considerations.

The implementation of the report's recommendations should serve as a concrete indicator for monitoring and measuring progress towards key milestones in the reform programme. Consequently, the progress or setbacks identified in the Rule of Law reports should explicitly guide the conditionality mechanisms embedded in the Responsible Governance Fund (RGF) and

the Instrument for Pre-Accession Assistance (IPA), ensuring that EU financial support genuinely encourages democratic reforms and rewards tangible progress.

Any possible funding freezes should not get in the way of ongoing democratisation processes. The EU should therefore consider redirecting accession funds to civil society and independent media if state governments do not meet the rule of law requirements in the accession process.

Signatories:

1. ALDA – European Association for Local Democracy
2. Amnesty International
3. Association for International Affairs (AMO)
4. ARTICLE 19 Europe
5. Avocats Sans Frontières Belgium
6. CaraDem
7. Center for Reproductive Rights
8. Committee to Protect Journalists
9. CRTA (Centre for Research, Transparency and Accountability - Belgrade, Serbia)
10. Democracy International
11. Democracy Reporting International (DRI)
12. European Centre for Research, Transparency and Accountability (EUCRTA)
13. European Federation of Journalists
14. European Implementation Network (EIN)
15. European Partnership for Democracy
16. European Policy Institute- Skopje
17. FIACAT : Fédération internationale des ACAT / International Federation of ACAT
18. FIDH (International Federation for Human Rights)
19. Free Press Unlimited
20. Glopolis
21. Humanists International
22. Human Rights House Foundation
23. Human Rights House Zagreb
24. Hungarian Helsinki Committee
25. Ifex
26. ILGA-Europe
27. International Commission of Jurists
28. International Planned Parenthood Federation - European Network (IPPF EN)
29. Lobbio
30. Netherlands Helsinki Committee
31. Open Society Fund Czechia
32. Our Rule of Law
33. Political Parties of Finland for Democracy – Demo Finland
34. Reporters Without Borders (RSF)
35. South East Europe Media Organisation (SEEMO)

36. The Good Lobby

37. The Good Lobby Profs